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December 14, 2020

Via ECF

The Honorable Robert W. Lehrburger, U.S.M.J.
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Islam, et al v. LX Avenue Bagels, Inc., et al.*
Case No. 18-CV-04895 (RA)

Dear Judge Lehrburger:

As the Court is aware, this firm represents Plaintiffs Mohammed Islam and Mohammed Siddik in the above-referenced matter. Defendants are represented by Travis Law PLLC in the instant action, and Morrison-Tenenbaum PLLC represents the Corporate Defendants named in this action in their capacity as Debtors in the related Chapter 11 bankruptcy action captioned *In Re: LX Avenue Bagels, Inc., et al.*, Case No.: 1-19-46769-jmm, currently pending in the United States Bankruptcy Court, Eastern District of New York. The parties respectfully submit this joint letter pursuant to the Court's December 7, 2020 Order [Docket 75] directing the parties to submit a status report on the bankruptcy proceedings.

Settlement of the Plaintiffs'/Creditors' Claims

Shortly after Plaintiffs became aware of the Defendants' Chapter 11 bankruptcy filing, Plaintiffs Islam and Siddik each filed a Proof of Claim to preserve their rights as Creditors to debts incurred by Defendants/Debtors as a result of the FLSA and NYLL violations forming the basis of this action.

On July 16, 2020, the parties engaged in a private mediation session and reached a settlement in principle, resolving all of the Plaintiffs'/Creditors' claims. The terms of the settlement were reduced to a writing (the "Settlement Agreement"). On September 2, 2020, Plaintiffs executed the Settlement Agreement and communicated the signed Settlement Agreement and tax forms to Debtors' counsel. On or around October 12, 2020, Defendants/Debtors provided this firm with a countersigned copy of the Settlement Agreement. Defendants/Debtors have partially complied with the terms of the Settlement Agreement.

Status of the Bankruptcy Proceedings

The Debtors have filed a motion to dismiss the Chapter 11 proceedings, which is scheduled to be heard on January 13, 2021.

The parties, having resolved all Plaintiffs'/Creditors' claims through settlement in connection with the bankruptcy action, respectfully request the Court lift the stay of the instant action and dismiss the action in its entirety.

We thank the Court for its attention to this matter.

Respectfully submitted,

Akin Law Group PLLC

/s/ Justin Ames

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Attorneys for Plaintiffs

The stay entered on December 12, 2019 is lifted, and the action is hereby dismissed in its entirety.

The Clerk of Court is respectfully directed to close this case.

SO ORDERED.



Hon. Ronnie Abrams
12/16/2020

Travis Law PLLC

/s/ Christopher Travis

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